



Judiciary I - Civil Law Committee

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09600SB3180ham001

LRB096 20251 AJ0 40167 a

1 AMENDMENT TO SENATE BILL 3180

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3180, on page 2,  
3 lines 17 and 18, by deleting ", reserved for the exclusive use  
4 of particular units, including limited common areas"; and

5 on page 2, line 25, after "areas", by inserting "described in a  
6 declaration which is administered by an association"; and

7 on page 3, line 1, by replacing "or single-family home." with  
8 the following:

9 "single-family home, or master association."; and

10 on page 3, by replacing lines 2 through 4 with the following:

11 ""Common interest community" does not include a condominium  
12 submitted to the provisions of the Condominium Property Act or  
13 a cooperative."; and

14 on page 3, line 22, after "association", by adding "by a

1 majority of the unit owners other than the developer"; and

2 on page 3, by deleting lines 23 through 26; and

3 on page 4, by deleting line 1; and

4 on page 4, immediately below line 19, by inserting the  
5 following:

6 "Master association" means a common interest community  
7 association that exercises its powers on behalf of one or more  
8 condominium or other common interest community associations or  
9 for the benefit of unit owners in such associations."; and

10 on page 4, line 24, by replacing "land," with "land"; and

11 on page 6, lines 7 through 9, by deleting the following: "that  
12 have not been submitted to the provisions of the Condominium  
13 Property Act"; and

14 on page 6, by replacing lines 14 through 23 with the following:

15 "(a) Except to the extent otherwise provided by the  
16 declaration or other community instruments, the terms defined  
17 in Section 1-5 of this Act shall be deemed to have the meaning  
18 specified therein unless the context otherwise requires."; and

19 on page 7, by replacing lines 2 through 4, with the following:

1           "(c) In the event of a"; and

2           on page 7, line 8, by deleting "initial"; and

3           on page 9, line 24, after "costs", by inserting "from the  
4           association"; and

5           on page 10, by replacing lines 11 through 16 with the  
6           following:

7           "11 months after the date of its execution; or"; and

8           on page 12, by replacing lines 19 and 20 with the following:

9           "association. The association shall have a statutory lien for  
10          unpaid fines."; and

11          on page 14, line 1, by replacing "board," with "board"; and

12          on page 14, line 4, by replacing "Ballots" with "With a written  
13          statement of a proper purpose, ballots"; and

14          on page 14, line 8, by replacing "Such" with "With a written  
15          statement of a proper purpose, such"; and

16          on page 14, line 24, by replacing "copying" with "retrieving  
17          and copying records properly requested"; and

1 on page 15, by deleting lines 10 through 21; and

2 on page 15, line 22, by replacing "(b)" with "(a)"; and

3 on page 16, line 8, by replacing "(c)" with "(b)"; and

4 on page 16, by replacing lines 11 and 12 with the following:

5 "(c) Two-thirds of the unit owners may remove a board  
6 member as a director at a duly called special meeting of the  
7 unit owners."; and

8 on page 16, line 13, by replacing "(e)" with "(d)"; and

9 on page 18, line 16, by replacing "shall ensure that unit  
10 owners receive notice" with the following:

11 "shall give unit owners notice"; and

12 on page 19, line 20, by replacing "owners." with "owners;  
13 provided, however, the duration and meeting order for the unit  
14 owner comment period is within the sole discretion of the  
15 board."; and

16 on page 21, immediately below line 17, by inserting the  
17 following:

18 "(h) The board of the common interest community association  
19 shall have the authority to establish and maintain a system of

1 master metering of public utility services and to collect  
2 payments in connection therewith, subject to the requirements  
3 of the Tenant Utility Payment Disclosure Act."; and

4 on page 22, line 2, by replacing "Act" with "Act,"; and

5 on page 24, line 15, by replacing "10 day" with "10-day"; and

6 on page 25, line 1, by replacing "2 year" with "2-year"; and

7 on page 25, line 5, by replacing "2 year" with "2-year"; and

8 on page 25, line 11, by replacing "90 day" with "90-day"; and

9 on page 26, by replacing lines 15 through 18 with the  
10 following:

11 "purpose, unless the Act or the declaration of the association  
12 specifically provides for greater percentages or different  
13 procedures.".

14 on page 27, line 16, by replacing "subsection" with  
15 "subsections (a) or"; and

16 on page 27, lines 20 and 21, by deleting "or receipt of the  
17 common interest community association resolution"; and

1 on page 28, by replacing lines 11 through 19 with the  
2 following:

3 "maintain a separate account for each association, unless by  
4 contract the board of managers of the association authorizes a  
5 management company to maintain association reserves in a single  
6 account with other associations for investment purposes. With  
7 consent of the board of managers of the association, the  
8 management"; and

9 on page 30, immediately below line 25, by inserting the  
10 following:

11 "Section 1-75. Exemption for small common interest  
12 communities. In lieu of the formal meeting requirements of  
13 Section 1-40, the board of directors of an association for a  
14 small common interest community shall provide notice of  
15 meetings to unit owners by the best means available that will  
16 reasonably assure delivery of such notices. A small common  
17 interest community is exempt from the requirements of  
18 subsection (a) of Section 1-30, subsections (a) and (b) of  
19 Section 1-40, and Section 1-55. For purposes of this Section,  
20 "small common interest community" means a community of 10 units  
21 or less or a community which has an association that has an  
22 annual budget with less than \$100,000 of operating funds."; and

23 on page 34, by replacing lines 11 through 13 with the  
24 following:

1           "Section 5-30. Right of action. A person who is aggrieved  
2 by a violation of this Act shall have a right of action in  
3 circuit court to enforce the provisions of this Act and in  
4 doing so may recover attorney's fees and costs. The remedy and  
5 rights provided under this Act are"; and

6 on page 34, by deleting lines 18 through 23; and

7 by deleting pages 35 through 53.